

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CITY OF ST. CLAIR SHORES POLICE AND : Civil Action No. 1:21-cv-03385-NRB
FIRE RETIREMENT SYSTEM, Individually :
and on Behalf of All Others Similarly Situated, :
Plaintiff, : CLASS ACTION
vs. : STIPULATION AND [PROPOSED] ORDER:
CREDIT SUISSE GROUP AG, THOMAS : (1) APPOINTING SHEET METAL
GOTTSTEIN, LARA J. WARNER and : WORKERS PENSION PLAN OF
DAVID R. MATHERS, : NORTHERN CALIFORNIA AND PEACE
Defendants. : OFFICERS' ANNUITY AND BENEFIT
: FUND OF GEORGIA AS LEAD
: PLAINTIFF; AND (2) APPROVING
: SELECTION OF ROBBINS GELLER
: RUDMAN & DOWD LLP AND SAXENA
: WHITE P.A. AS LEAD COUNSEL
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WHEREAS, this action was commenced on April 16, 2021 against defendants Credit Suisse Group AG (“Credit Suisse”), Thomas Gottstein, Lara J. Warner and David R. Mathers (collectively, “defendants”), alleging violations of the federal securities laws;

WHEREAS, on June 15, 2021, Sheet Metal Workers Pension Plan of Northern California (“Northern California SMW”) and Peace Officers’ Annuity and Benefit Fund of Georgia (“Georgia Peace Officers”) each moved this Court requesting appointment as lead plaintiff (*see* ECF Nos. 16, 21);

WHEREAS, the Private Securities Litigation Reform Act of 1995 (“PSLRA”), 15 U.S.C. §78u-4(a)(3)(B)(iii), provides, *inter alia*, that the most adequate plaintiff to serve as lead plaintiff is, in the determination of the Court, the “person or group of persons” that has the largest financial interest in the relief sought by the class and otherwise satisfies the relevant requirements of Rule 23 of the Federal Rules of Civil Procedure;

WHEREAS, 15 U.S.C. §78u-4(a)(3)(B)(iv) provides that, subject to the approval of the Court, the most adequate plaintiff will select and retain counsel to represent the class, and Northern California SMW selected and retained the law firm of Robbins Geller Rudman & Dowd LLP (“Robbins Geller”), and Georgia Peace Officers selected and retained the law firm of Saxena White P.A. (“Saxena White”) to pursue this litigation on behalf of the class if they are appointed Lead Plaintiff;

WHEREAS, after reviewing each other’s submissions to the Court, Northern California SMW and Georgia Peace Officers – as the only two movants in contention for appointment as lead plaintiff and as sophisticated institutional investors with complementary trading patterns – each concluded that: (1) it would be in the best interests of the class for Northern California SMW and Georgia Peace Officers to jointly serve as Lead Plaintiff and for their respective selection of counsel,

the law firms of Robbins Geller and Saxena White, to jointly serve as Lead Counsel; and (2) a protracted dispute concerning lead plaintiff appointment in this action is not in the best interests of the class whereas jointly prosecuting this litigation would be appropriate and assist with the speedy commencement of this litigation;

WHEREAS, Robbins Geller and Saxena White have experience serving together as lead counsel in securities class actions and understand the importance of not performing duplicative work and undertake to use their best efforts to not duplicate work;¹ and

WHEREAS, courts in this District, including this Court, have endorsed stipulations among competing lead plaintiff movants as promoting the statutory purposes of the PSLRA, and have permitted “independent lead plaintiff movants [to] join together.” *In re Rockwell Med., Inc. Sec. Litig.*, No. 1:16-cv-01691-RJS, ECF No. 18 at 2-3 (S.D.N.Y. May 20, 2016) (citing *Pirelli Armstrong Tire Corp. Retiree Med. Benefits Tr. v. LaBranche & Co, Inc.*, 229 F.R.D. 395 (S.D.N.Y. 2004)); *see also Cox v. Delphi Corp.*, No. 1:05-cv-02637-NRB, ECF No. 32 (S.D.N.Y. June 27, 2005); *In re Phillip Morris Int'l Inc. Sec. Litig.*, No. 1:18-cv-08049-RA, ECF No. 82 (S.D.N.Y. Feb. 25, 2019); *In re Ability, Inc. Sec. Litig.*, No. 1:16-cv-03893-VM, ECF No. 19 (S.D.N.Y. Aug. 12, 2016); *Urban v. GW Pharm. PLC*, No. 1:16-cv-00472-RWS, ECF No. 20 (S.D.N.Y. Apr. 4, 2016).

IT IS HEREBY STIPULATED AND AGREED, subject to the Court’s approval, as follows:

1. Northern California SMW and Georgia Peace Officers are hereby appointed Lead

Plaintiff in the above-captioned consolidated action and any subsequently filed or

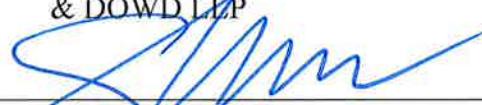
¹ As an example, Robbins Geller and Saxena White are currently preparing for a trial set to commence on September 17, 2021 in *Plymouth Cnty. Ret. Sys. v. Patterson Cos.*, No. 0:18-cv-00871 (D. Minn), a securities class action in which the firms have worked side-by-side over the last three years to overcome defendants’ motion to dismiss, obtain class certification, complete discovery and oppose defendants’ efforts to obtain summary judgment.

transferred actions that are consolidated with the consolidated action, pursuant to 15 U.S.C. §78u-4(a)(3)(B); and

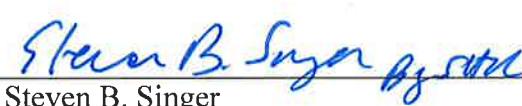
2. Lead Plaintiff's selections of Robbins Geller and Saxena White as Lead Counsel are hereby approved.

Dated: June 29, 2021

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& DOWD LLP


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Counsel for Lead Plaintiff Movant Sheet
Metal Workers Pension Plan of Northern
California and Proposed Lead Counsel for
the Class

Counsel for Lead Plaintiff Movant
Peace Officers' Annuity and Benefit Fund of
Georgia and Proposed Lead Counsel for the
Class

IT IS SO ORDERED.

DATED: _____

THE HONORABLE NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on June 29, 2021, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses on the attached Electronic Mail Notice List, and I hereby certify that I caused the mailing of the foregoing via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

/s/ Samuel H. Rudman

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Mailing Information for a Case 1:21-cv-03385-NRB City of St. Clair Shores Police and Fire Retirement System v. Credit Suisse Group AG et al**Electronic Mail Notice List**

The following are those who are currently on the list to receive e-mail notices for this case.

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)